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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA . CRIMINAL ACTION NO.
 . 4:14-CR-023-A-1
V. .
 . Fort Worth, Texas
CHRISTOPHER ROBERT WEAST . July 28, 2014

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TRANSCRIPT OF THE TRIAL
(Docket Call)
BEFORE THE HONORABLE JOHN MCBRYDE
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government: MS. AISHA SALEEM
MR. DANIEL P. COLE
United States Attorney's Office
801 Cherry Street, Suite 1700
Fort Worth, Texas 76102-6897
(817) 252-5200

For the Defendant: MS. ANGELA R. SAAD
MR. CHRISTOPHER A. CURTIS
Federal Public Defender
819 Taylor Street, Room 9A10
Fort Worth, Texas 76102
(817) 978-2753

Court Reporter: MS. ANA P. WARREN
U.S. District Court Reporter
501 W. 10th Street, Room 502
Fort Worth, Texas 76102-3637
(817) 850-6681

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produced by computer-aided transcription.

P R O C E E D I N G S

(Commencing, 8:35 a.m.)

THE COURT: Good morning.

MS. SALEEM: Good morning.

MR. CURTIS: Good morning, Your Honor.

THE COURT: Okay. We're here for the jury trial in Number 4:14-CR-023. It's United States of America versus Christopher Robert Weast. And Ms. Saleem and Mr. Cole are here for the government, and Ms. Saad and Mr. Curtis are here for the defendant.

My understanding is the defendant has not been brought to the courthouse yet, and I haven't been able to determine what the problem is. I know -- I guess it was last Friday they had a difficult time getting him to cooperate in coming, and maybe they are having that problem. I don't know. But we're going to go ahead and handle some legal matters before we start the jury selection, and we can go forward with that without him being here.

One of the things that was mentioned last Friday was what would be the instruction to the jury panel as opposed to the jury itself concerning the absence of Mr. Weast during jury selection -- by the way, before I do that, is the government ready for trial?

MS. SALEEM: Yes, Your Honor, the government is ready.

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1 THE COURT: Is the defendant ready for trial?

2 MS. SAAD: Yes, Your Honor, other than the defendant
3 not being here.

4 THE COURT: What?

5 MS. SAAD: Yes, Your Honor, except that our client is
6 not even in the courthouse.

7 THE COURT: Well, I don't think he needs to be here
8 during legal matters. Do you have some feel that he does?

9 MS. SAAD: No, Your Honor.

10 THE COURT: Okay. I have prepared a proposed
11 instruction, and let me hand down four copies of it. I think
12 it's appropriate to give to the jury panel. I'll read it into
13 the record.

14 The defendant, Christopher Robert Weast, is not present in
15 the courtroom during the jury selection process. You're
16 instructed that you should not speculate why he is not present
17 nor should you even discuss that matter amongst yourselves.
18 He will be represented in the courtroom during the jury
19 selection process by the attorneys. However, the defendant
20 will be participating in the jury selection process by the
21 following procedures:

22 The Court has arranged through closed circuit video for
23 the defendant to see during the jury selection process the
24 panel from which the jury is to be selected and through a
25 remote audio system to hear the things that are said in the

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1 courtroom during the jury selection process. If he wishes to
2 communicate with his attorneys during the process, he has the
3 ability to do so by wireless internet computer arrangement.

4 More than likely, the defendant will not be present from
5 the courtroom during the trial itself. However, during the
6 trial, he will have the procedures I just described available
7 to see the witnesses as they testify, hear the things that are
8 said in the courtroom, and communicate with his attorney.

9 The defendant's absence from the courtroom has no
10 relevance to any decision the jury is to make in this case and
11 has no bearing whatever on whether the government has
12 satisfied its burden to establish beyond a reasonable doubt
13 the defendant's guilt of one or both of the offenses charged
14 against the defendant in this case.

15 Therefore, the jury, which participates in this case, is
16 not to consider the defendant's absence from the courtroom for
17 any purpose, either for or against the defendant, during the
18 trial or the jury's deliberations.

19 Then I'll ask, is there anyone on the panel who has any
20 thought that the defendant's absence from the courtroom would
21 be a factor in your decision in this case bearing in mind that
22 this case must be decided on the basis of the evidence
23 received during the trial and the legal instructions given to
24 you by the Court and nothing else?

25 And then I'll ask if there is anybody who has a "yes"

1 answer to that question to raise their hand.

2 Ms. Saleem, does the government have any concern with that
3 proposed instruction?

4 MS. SALEEM: No, Your Honor.

5 THE COURT: Does the defendant, Ms. Saad?

6 MS. SAAD: No, Your Honor.

7 THE COURT: Okay. And on the instruction to give to
8 the jury panel itself, I'll use the one that I gave you
9 Friday, but I'm going to supplement it. I think the jury
10 needs to understand a little bit more, and I'll add, as I
11 inform the panel from which you were selected -- let me give
12 each of you have a copy of this one, too, so you can follow
13 along with it as I read it.

14 This is simply an add-on to what I've already -- simply an
15 add-on to what I've already -- we discussed Friday.

16 By the way, I've just been handed a note that the
17 defendant now is in the room on the third floor where he has
18 audio and visual access to what we're doing here.

19 What is the person's name with him again, Ms. Saad?

20 MS. SAAD: Patricia Tovar.

21 THE COURT: Spell that last name again.

22 MS. SAAD: T-O-V-A-R.

23 Your Honor, we've also received a message that Mr. Weast
24 would like to speak with both Mr. Curtis and I, if there could
25 be a moment where we could go meet with him briefly.

1 THE COURT: You mean he wants to speak to you in
2 person --

3 MS. SAAD: Yes, Your Honor.

4 THE COURT: -- as opposed to over the internet?

5 MS. SAAD: Yes, Your Honor.

6 THE COURT: Okay. Why don't we find out over the
7 internet what he wants to speak to you about and then you
8 decide whether it's worth the time to take a recess.

9 MS. SAAD: Your Honor, there seems to be an
10 indication that there might be a possible plea as opposed to a
11 trial, and he would like to meet with us to talk about that.

12 THE COURT: Okay. We'll take a -- let's assume there
13 was a plea. It would have to be without a plea agreement. It
14 would be to all counts of the indictment.

15 Let's assume there was. How long would it take to prepare
16 a factual resume?

17 MS. SALEEM: Approximately 30 minutes we should be
18 able to do that.

19 THE COURT: Okay. We've got a jury panel waiting.
20 So let's don't waste time. I'll give you ten minutes to go
21 down and talk to him.

22 MS. SAAD: Yes, Your Honor.

23 THE COURT: We'll take a recess for ten minutes. Why
24 don't you put in motion getting a factual resume prepared in
25 case that is what he decides to do.

1 MS. SALEEM: Yes, Your Honor.

2 (Trial recesses, 8:40 - 9:05 a.m.)

3 THE COURT: We need to move on. Ms. Saleem, does the
4 defendant have anything to report to the Court through you?

5 MS. SAAD: Your Honor, Angela Saad for Mr. Weast. I
6 have some information from Mr. Weast. He's appointed both
7 Mr. Curtis and I as fiduciary trustees.

8 THE COURT: As who?

9 MS. SAAD: As fiduciary trustees. And he would like
10 to accept charges for value in consideration and return a post
11 settlement and closure and autotris and CUSIP Account Number
12 636031074. And he asked to please use my exemption for full
13 settlement and closure of this account as this account is
14 prepaid and exempt from levy. Under Rule 8 of the Federal
15 Rules of Civil Procedure, I accept the charges for value in
16 consideration of currency, use my exemption as principal for
17 post settlement and closure of 4:14-CR-23-A and CUSIP and
18 autotris Account Number 636031074, as this account is prepaid
19 and exempt from levy.

20 I have both a letter of rogatory. The document I just
21 read, that will be filed and a plea to jurisdiction and a
22 motion to dismiss, Your Honor.

23 THE COURT: Okay. That's fine. You can be seated.

24 Okay. I am going to supplement the statement I gave you
25 Friday on the instruction to the jury concerning his absence

1 in the courtroom. We've lost so much time. I don't think
2 there is any need to read it because it doesn't significantly
3 change what I would tell the panel as a whole.

4 I'm denying the motion request by the defendant for the
5 Court to take judicial notice of congressional findings and
6 supporting memorandum.

7 I'm admitting -- or granting the defendant's motion to
8 file a supplemental exhibit list, which apparently it has to
9 do with the possibility that the defendant, McGregor, will
10 testify.

11 I'm granting that motion. I still haven't made a decision
12 as to whether he will be permitted to testify.

13 This is referred to as a supplemental trial exhibit list.
14 I don't believe there was ever one filed before.

15 MS. SAAD: Your Honor, we did submit an exhibit list
16 that indicated no exhibits. We just filed a supplement, and
17 we now have six exhibits.

18 THE COURT: Okay. I'll consider that this is
19 filed.

20 As far as the testimony of McGregor, I haven't had a
21 chance to finish my study of the things I want to study on
22 that. So that's still an open question as to whether he will
23 be permitted to testify.

24 We need to at this time swear the witnesses, and if the
25 government would have its witnesses come forward and,

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1 hopefully, line up in the sequence in which they will testify,
2 that would be helpful.

3 Ms. Tovar, are you all being able to hear us clearly?

4 MR. CURTIS: She's typing, Your Honor.

5 (Brief pause in proceedings)

6 MR. CURTIS: She said, we are. We are here.

7 THE COURT: Well, I don't know if they are being able
8 to hear us clearly.

9 MR. CURTIS: Can you hear us clearly?

10 She's typing, Your Honor.

11 (Brief pause in proceedings)

12 MR. CURTIS: Yes.

13 And, Your Honor, we did need to request -- Mr. Weast did
14 request to be allowed to come to the Court and address the
15 Court this morning. I did want to inform the Court that
16 before we got started.

17 THE COURT: Okay. At some point in time, we'll see
18 if we can arrange that. He's put us way behind over this
19 business that we've dealt with.

20 That's close enough. If you can help me find them when we
21 call their names.

22 What is your name?

23 MR. WATKINS: Randy Watkins.

24 THE COURT: Okay. Hold on just a minute.

25 Next one?

1 MR. MURRY: Shawn Murry.
2 THE COURT: Next one?
3 MR. THOMSON: James Thomson.
4 THE COURT: Next one?
5 MR. WILLINGHAM: James Willingham.
6 THE COURT: Next one?
7 MS. WILKINSON: Denise Wilkinson.
8 THE COURT: Next one?
9 MR. CARLON: Pablo Carlon.
10 THE COURT: Next one?
11 MR. GARZA: Armando Garza.
12 THE COURT: Next one?
13 MR. THOMPSON: Scott Thompson.
14 THE COURT: Next one?
15 MR. BAGGOTT: Michael Baggott.
16 THE COURT: Next?
17 MR. WINES: James Wines.
18 MS. SALEEM: He's the last one on the list, Your
19 Honor, Number 18.
20 THE COURT: Next one?
21 MR. GRANT: Edmund Grant.
22 THE COURT: Next one?
23 MR. SIMMONS: Richard Simmons.
24 MS. SALEEM: Number 15, Your Honor.
25 THE COURT: Next one.

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1 MS. PIERSON: Quenia Pierson.

2 THE COURT: Number 13?

3 MS. SALEEM: Yes, Your Honor.

4 THE COURT: Next one?

5 MS. LINDSEY: Kaela Lindsey.

6 THE COURT: Number 12.

7 Next one?

8 MR. WOMBLE: Matt Womble.

9 MS. SALEEM: He's the case agent, Your Honor, Number
10 2.

11 THE COURT: Matthew Womble.

12 Okay. Next?

13 MR. WEAST: Bobby Weast.

14 THE COURT: That's Number 17.

15 And Larry Weast is 16.

16 Okay. Does that get all of them?

17 MS. SALEEM: Yes, Your Honor.

18 THE COURT: Everyone who has been identified as a
19 witness for the government, raise your right hands to be
20 sworn.

21 (Witnesses sworn by the Court)

22 THE COURT: Okay. You all can be seated. Go back to
23 the other side of the room, but don't leave the courtroom
24 because I may have some further instructions for you. So stay
25 in the courtroom for the time being.

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1 Okay. Let's have -- I notice that the defendant has on
2 its list a number of the people who are on the government's
3 list. Have any of the persons who will testify for the
4 defendant who have not already been sworn as government
5 witnesses, have all of them come on this side of the rail.

6 MR. CURTIS: Your Honor, the only other witness we
7 have other than Mr. McGregor is Tony Pagan.

8 THE COURT: Okay. Have him come up.

9 MR. CURTIS: Brett Weilaj is also on the witness
10 list, Your Honor.

11 THE COURT: Have him come up.

12 MR. CURTIS: We don't expect him to testify, but we
13 can go ahead and have him sworn.

14 THE COURT: Where is Mr. Pagan?

15 MS. SAAD: Your Honor, I believe he's in the
16 building. We sent someone to locate him. He should be here
17 shortly. I apologize, Your Honor, for that delay. That was
18 my oversight.

19 THE COURT: Is this him?

20 MR. CURTIS: It's our investigator Tony, Pagan Your,
21 Honor.

22 THE COURT: Well, we need to swear him as a witness.
23 Where is he?

24 (Brief pause in proceedings)

25 THE COURT: We're running out of time. We'll go

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1 ahead and swear these two. This is -- I'm trying to find the
2 names.

3 MS. SAAD: Yes, Your Honor. I have Witness 23 on our
4 first exhibit list, and in the supplemental witness list it's
5 Bill McGregor.

6 THE COURT: I'm not sure I have the supplemental
7 witness list.

8 MS. SAAD: That was the witness list that was
9 approved on Friday, July 25.

10 THE COURT: Okay. What number is McGregor on the
11 most current list?

12 MS. SAAD: I'm locating that, Your Honor.

13 (Brief pause in proceedings)

14 MS. SAAD: Your Honor, we have defendant's motion for
15 leave of designation of expert. I do believe I overlooked,
16 after that motion was granted, including a supplemental
17 witness list --

18 THE COURT: Okay. I have the one that was filed July
19 14, and I'll add to it Mr. McGregor. Should he be Number 24?

20 MS. SAAD: Yes, Your Honor. Thank you.

21 THE COURT: Who is this other witness?

22 MS. SAAD: It's Number 23, Brett Weilaj.

23 THE COURT: Okay. Has Mr. Pagan come into the
24 courtroom yet?

25 MS. SAAD: No, Your Honor.

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1 THE COURT: Okay. The two witnesses in front of me,
2 pronounce your name, Mr. Weilaj. Is that how you pronounce
3 it?

4 MR. WEILAJ: Weilaj.

5 THE COURT: And then Mr. McGregor, what was your
6 first name?

7 MR. MCGREGOR: James.

8 THE COURT: Okay. The two of you raise your right
9 hands to be sworn.

10 (Witnesses sworn by the Court)

11 THE COURT: Okay. You all can go back on the other
12 side of the rail. Does anybody want to invoke the rule?

13 MS. SALEEM: Yes, Your Honor.

14 There is some clarification. I just needed to -- I
15 apologize, but it appears that Mr. Weast, Larry Weast may not
16 have actually taken the oath. He did not acknowledge that he
17 was sworn in. We just ask for confirmation about that.

18 THE COURT: You're concerned that he did not --

19 MS. SALEEM: Take the oath, Your Honor.

20 THE COURT: Let's have Mr. Weast come on this side of
21 the rail a moment.

22 Your name is Larry Weast?

23 MR. WEAST: Yes, sir.

24 THE COURT: Raise your right hand to be sworn.

25 (Witness sworn by the Court)

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1 THE COURT: Okay. You can go back and be seated.

2 MS. SALEEM: Thank you, Your Honor.

3 THE COURT: Okay. All of witnesses who have been
4 sworn are in the courtroom. The rule has been invoked, which
5 means that none of you can be in the courtroom while another
6 witness is testifying. So be very careful. If you were to
7 come in the courtroom while another witness was testifying,
8 you would be in contempt of court, and there would also be a
9 risk that you would disqualify yourself as a witness.

10 It also means, until you're excused as a witness, the
11 first rule I mentioned applies only before you're excused as a
12 witness. Once you're excused as a witness, you can come into
13 the courtroom if you would like.

14 The second rule applies only as long as you haven't been
15 excused as a witness, and that is you won't discuss your
16 testimony or proposed testimony with anyone other than an
17 attorney or attorneys in the case, and even then, that
18 discussion will always have to be outside the hearing of any
19 non-attorney other than the ones -- one of the ones you're
20 having the discussion with. So be very careful on that
21 subject.

22 You're now subject to the Court's jurisdiction by virtue
23 of having been sworn as a witness. That means you will have
24 to be available to come to the witness stand whenever the
25 attorney who has arranged for you to be here makes known to

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1 you, either directly or through someone else, that it's time
2 for you to come to the witness stand. So you will need to
3 comply with the directions of the attorney who told you to be
4 here so that you will be available to take the witness stand
5 immediately when that attorney needs you on the witness stand.
6 Failure to comply with that would cause you to be in contempt
7 of court.

8 Okay. With that instruction, all of the witnesses will
9 leave the courtroom now. Clear the audience section because
10 we're going to have the panel come up here in just a minute
11 and we'll need the audience section for that, but do remember
12 the instructions I've given you.

13 Now, I'm going to invite Mr. Weast to tell me whatever he
14 wants to tell me.

15 MR. CURTIS: Yes, sir.

16 THE COURT: Mr. Weast, I'm sure you can hear me. So
17 I'm advising you at this time to tell me whatever it is that
18 you indicated to your attorney or attorneys that you want to
19 tell me.

20 All of you leave the courtroom so we'll have room for the
21 jury selection.

22 THE MARSHAL: All of you need to get up and leave the
23 courtroom.

24 (Brief pause in proceedings)

25 THE COURT: Okay. Mr. Weast, you can tell me

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1 whatever it is you wanted to tell me before we bring the jury
2 panel into the courtroom.

3 MR. CURTIS: She's typing right now, Your Honor.

4 Your Honor, do you want me to just read it as it comes out
5 over the --

6 THE COURT: Yes. Why don't you just read it.

7 MR. CURTIS: The Court has invited Mr. Weast to tell
8 the Court whatever he wants to tell him before the jury panel
9 is brought in.

10 Apparently, it was muted, Your Honor. I don't know why.

11 THE COURT: What do you mean it was muted?

12 MR. CURTIS: Apparently, the video was muted, the
13 audio, I would imagine from the recess the Court took.

14 No, you have to type what Mr. Weast said.

15 THE COURT: Is there a problem with the sound system?

16 TECHNICAL SUPPORT: Did you want to see Mr. Weast?

17 THE COURT: No, I don't want to see him. I just want
18 to hear what he's got to say, but he can do it through the
19 computer. Can you fix it where he can speak?

20 TECHNICAL SUPPORT: I can turn it on, yes.

21 THE COURT: You can do what?

22 TECHNICAL SUPPORT: I can turn on the unit and you
23 would be able to hear him, but you wouldn't be able to see
24 him.

25 THE COURT: I don't want to see him -- I don't need

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1 to see him. That's a better way to put it but if you can fix
2 it where I can hear it.

3 MR. CURTIS: Pat, Ms. Tovar, they are setting the
4 audio to where the Court can hear Mr. Weast speak. So if you
5 will give him just a few minutes until the Court says it's
6 okay to proceed, then Mr. Weast can speak to the Court.

7 THE COURT: Mr. Weast, at this time you can speak to
8 the Court.

9 DEFENDANT WEAST: Can you hear me? I think we're
10 getting a lot of feedback here.

11 MR. CURTIS: We can hear you, Mr. Weast.

12 DEFENDANT WEAST: Can you hear me?

13 MR. CURTIS: Yes, Mr. Weast we can hear you.

14 DEFENDANT WEAST: Okay. My name is not Mr. Weast.
15 My lawful name is James Joseph Smith. I am not a resident of
16 the United States nor the state of Texas. I am not a ward nor
17 a minor official of any government, and I am a natural man, a
18 child of the living God, and this Court is proceeding
19 unlawfully and contrary to the law considering there are open
20 motions on the record admitting countless pleas to
21 jurisdiction. And I want the Court to know that I've recently
22 posted bail, and I'm holding all officers and officials
23 accountable, because this kangaroo court that's happening
24 right now is happening outside of any law.

25 And I have tried to accept the charges and discharge them,

1 and this Court has refused to make Aisha Saleem, the
2 government, produce the bid bond and the performance bond and
3 the payment bond so they can be discharged.

4 And under Rule 1 or 2 -- I don't remember which one it is,
5 but it says -- it's direct. It does not even leave room for
6 question, that there is no other law than the civil action.
7 There is only one form of action, the civil action, and this
8 is a civil action being tried as a criminal action through
9 lack of acceptance and honor inside of court.

10 So as far as the charges go, I expect the charges to be
11 discharged under CUSIP and autotris 636031074, which belong to
12 the government already. They do not belong to me, they are
13 not property of mine.

14 And I want to report a felony that is in progress right
15 now. One of them is named Christopher A. Curtis and the other
16 is Angela Saleem -- I'm sorry, Angela Saad, and Aisha Saleem
17 and I want to report misprision of felony, which is treason
18 against this country, the actual union or the states, because
19 they are committing misprision of a felony as four court
20 officers.

21 If we don't address this today, I've already filed a
22 lawsuit against everybody that's sitting in this courtroom
23 right now, and I don't know why everybody -- maybe it's
24 because everybody is pissed off at me is the reason why this
25 Court is operating unlawfully against me is because they all

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1 know that I have got a lawsuit against every one of you. So
2 why we're here is beyond me, and I don't have any clue as to
3 why we're here. I don't understand why we're here. It has
4 not been explained to me. The Court has not taken one moment
5 of its time to explain why we're here and why the Court has
6 ignored countless times the pleas to jurisdiction and why the
7 Court is not forcing Aisha Saleem to put the evidence on the
8 record that the United States has jurisdiction of every single
9 place it alleges a crime happened and the acceptance of said
10 jurisdiction.

11 This is all in the rules that the government -- in order
12 to have jurisdiction over any area in the state of Texas or
13 the Republic of Texas, which is what it really is, is for
14 them, the United States, to exceed jurisdiction by the
15 legislature of the Republic of Texas and then for the United
16 States to come in and do an acceptance of that jurisdiction
17 over said lands. And right now, there are only about 60
18 places in all of Texas where the government has even done
19 that. So why are we here and why is this Court proceeding
20 unlawfully?

21 THE COURT: Okay. That's fine. Let's proceed. You
22 can turn the sound off.

23 I see Mr. Pagan is here. Why don't you come on this side
24 of the rail and raise your right hand to be sworn as a
25 witness.

1 (Witness sworn by the Court)

2 THE COURT: Okay. That takes care of all of the
3 defendant's witnesses. Is that correct, Ms. Saad?

4 MS. SAAD: Yes, Your Honor.

5 THE COURT: Okay. I've granted the defendant's
6 motion to file an exhibit list. I've noticed the one that's
7 been tendered doesn't have a column when they were identified
8 or when they were offered or when they were sworn. So I'm
9 going to hand back what's been tendered. If you all want to
10 file an appropriate list, you can.

11 MR. CURTIS: Thank you, Your Honor.

12 THE COURT: Okay. You can move your chairs on this
13 side of the tables if you would like, and we'll have the jury
14 panel come in.

15 MS. SALEEM: And, Your Honor, also for clarification,
16 Special Agent Womble is the case agent. So we're asking that,
17 even though he is under the rule, that he would be permitted
18 to be in the courtroom.

19 THE COURT: I excuse him from the rule.

20 MS. SALEEM: Thank you.

21 MR. CURTIS: Your Honor, Erin Brennan, an attorney
22 from our office, would like to observe selection. Is that
23 possible?

24 THE COURT: That's fine. Does she want to come sit
25 up here on this side?

1 MR. CURTIS: Thank you, Your Honor.

2 THE COURT: She can.

3 (Trial recesses, 9:30 a.m.)

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20 CERTIFICATE

21 I certify that the foregoing is a correct transcript from
22 the record of proceedings in the above-entitled matter, and
23 that the transcript was prepared by me and under my
supervision.

24 s/ Ana P. Warren
Ana P. Warren, CSR #2302
25 U.S. District Court Reporter

January 16, 2015
Date